

ORDINANCE NO. 95- 60

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 PALM BEACH COUNTY COMPREHENSIVE PLAN ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED, MODIFYING PAGE 26 OF THE FUTURE LAND USE ATLAS BY CORRECTING A SCRIVENERS ERROR FOR A LOT ON IDLEWILD ROAD; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES OF PALM BEACH COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, The Board of County Commissioners has previously adopted amendments as part of Ordinance 91-31; and

WHEREAS, Ordinance 91-31 contained a map showing an inaccurate representation of the limits of the land use designation; and

WHEREAS, it is the intent of the Board of County Commissioners to adopt this Ordinance, revising the map for application 91-26 IND 1 to show the correct boundary of the land use designation.

WHEREAS, on December 1, 1995, the Palm Beach County Local Planning Agency held a public meeting to make recommendations regarding adoption of the Comprehensive Plan amendments; and

WHEREAS, on December 6, 1995, the Palm Beach County Board of County Commissioners held a public hearing to consider adoption of the amendments; and

WHEREAS, the Department has previously found this amendment in compliance.

1 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
2 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

3 Part I. Amendment to the Future Land Use Atlas of the Land
4 Use Element of the 1989 Comprehensive Plan

5 An Amendment to the Land Use Element's Future Land Use Atlas
6 is hereby adopted and is attached to this Ordinance in Exhibit 1.

7 A. Future Land Use Atlas page 26 is amended as follows:

8 Application No.: 95-26 IND 1

9 Amendment: Amend Map 26 to agree with legal
10 description shown in Ord. 91-31.

11 General Location: Eastern terminus of Idlewild Road

12 Size: 0.25 acres

13 Part II. Repeal of Laws in Conflict

14 All local laws and ordinances applying to the unincorporated
15 area of Palm Beach County in conflict with any provision of this
16 ordinance are hereby repealed to the extent of such conflict.

17 Part III. Severability

18 If any section, paragraph, sentence, clause, phrase, or word
19 of this Ordinance is for any reason held by the Court to be
20 unconstitutional, inoperative or void, such holding shall not
21 affect the remainder of this Ordinance.

22 Part IV. Inclusion in the Code of Laws and Ordinances

23 The provision of this Ordinance shall become and be made a
24 part of the code of laws and ordinances of Palm Beach County,
25 Florida. The Sections of the Ordinance may be renumbered or
26 relettered to accomplish such, and the word "ordinance" may be
27 changed to "section," "article," or any other appropriate word.

28 Part V. Effective Date

29 The effective date of this plan amendment shall be the date a
30 final order is issued by the Department of Community Affairs or
31 Administration Commission finding the amendment in compliance in
32 accordance with Section 163.3184, Florida Statutes, whichever

1 occurs earlier. No development orders, development permits, or
2 land uses dependent on this amendment may be issued or commence
3 before it has become effective. If a final order of noncompliance
4 is issued by the Administration Commission, this amendment may
5 nevertheless be made effective by adoption of a resolution
6 affirming its effective status, a copy of which resolutions shall
7 be sent to the Department of Community Affairs, Bureau of Local
8 Planning, 2740 Centerview Drive, Tallahassee, Florida 32399-2100.

9 **APPROVED AND ADOPTED** by the Board of County Commissioners of
10 Palm Beach County, on the 6 day of December, 1995.

11 ATTEST:
12 DOROTHY H. WILKEN, Clerk

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

13 By: Joan Haverly
14 Deputy Clerk

K. J. [Signature]
Chair

15 APPROVED AS TO FORM AND
16 LEGAL SUFFICIENCY

17 [Signature]
18 COUNTY ATTORNEY

19 Filed with the Department of State on the 13th day
20 of December, 1995.

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EXHIBIT 1

Future Land Use Atlas page 26 is amended as follows:

Application No.: 91-26 IND 1

Amendment: Amend Map 26 to agree with legal description shown in Ord. 91-31.

General Location: Eastern terminus of Idlewild Road

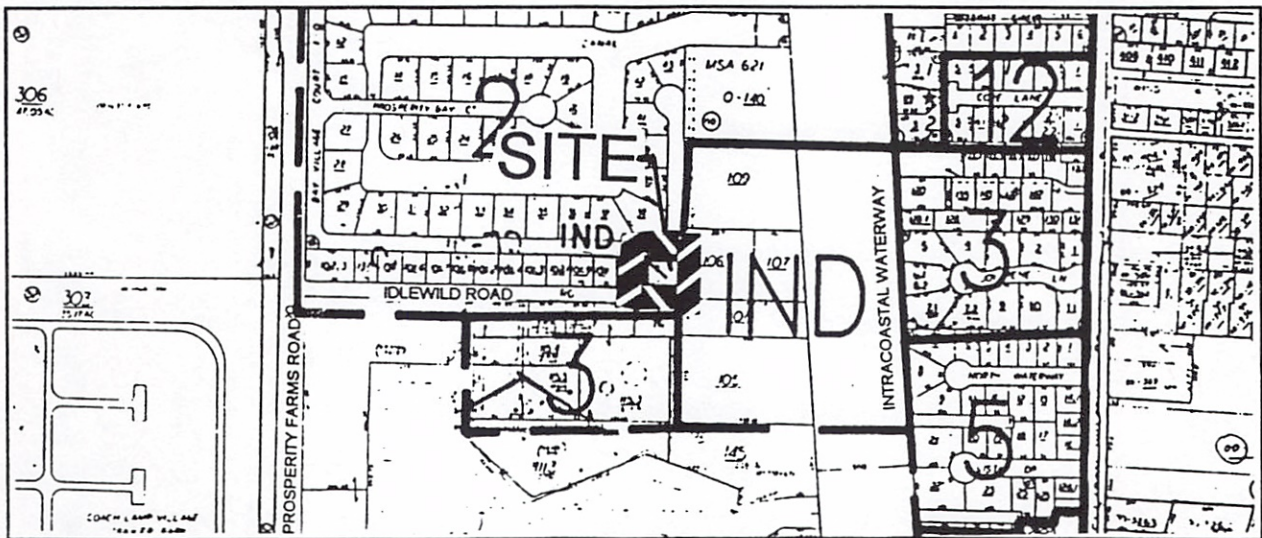
Size: 0.25 acres

Legal Description:

The eastern one-half (E ½) of the following:

Begin at a point in the east right-of way line of Prosperity Farms Road, said point being 100 feet north of the intersection of the east right-of-way line of Prosperity Farms Road with the north right-of-way line of County Road No. 7 (as laid out and in use); Thence continue north along the east right-of-way line of Prosperity Farms Road a distance of 100 feet; thence run easterly, parallel to the said County Road No. 7, to a point in the west line of the east one-half (E. ½) of the northeast quarter (N.E. 1/4) of Section 5, Township 42 South, Range 43 East; thence run south along the said West line of the east one-half of the northeast quarter, a distance of 100 feet, more or less, to a point in a line 100 feet north of and parallel to the north right-of-way line of County Road No. 7; thence run westerly along said parallel line to the point of beginning. This parcel of land being in Section 5, Township 42 South, Range 43 East, Palm Beach County, Florida.

As recorded in Official Record Book 921, Page 611.



STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on 12/14/95
DATED at West Palm Beach, FL on 12/19/95
DOROTHY H. WILKEN, Clerk
By Phyllis F. House D.C.